UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

2008 MAR 27 PM 2:07

'08 MJ 0944

UNITED STATES OF AMERICA, Plaintiff, v. Jose Luis MENDEZ Defendant.	Magistrate's Case No. COMPLAINT FOR VIOLATION OF Title 21, U.S.C., Sections 952 and 960 - Importation of Controlled Substances

The undersigned complainant being duly sworn states:

COUNT ONE

On or about March 26, 2008, within the Southern District of California, defendant Jose Luis MENDEZ did knowingly and intentionally import approximately 2.14 kilograms (4.71 pounds) of methamphetamine, a Schedule II Controlled Substance; into the United States from a place outside thereof; in violation of Title 21, United States Code, Sections 952 and 960.

The complainant also states that this complaint is based on the attached Statement of Facts, which is incorporated herein by reference.

Signature of Complainant
Special Agent
United States Immigration and Customs Enforcement

Sworn to before me and subscribed in my presence, this 27th day of March, 2008.

United States Magistrate Judge

STATEMENT OF FACTS

On March 26, 2008, at approximately 2:30 p.m., Jose Luis MENDEZ entered the United States via the Tecate, California, Port of Entry from the Republic of Mexico. MENDEZ was the driver and sole occupant of a burgundy 2006 Ford Explorer bearing State of California license plate #5VBE299. MENDEZ has been the sole registered owner of the Explorer since at least July 2006.

MENDEZ approached the primary Customs and Border Protection Officer (CBPO) and provided two (2) negative customs declarations. MENDEZ stated that he was returning to his residence in Chula Vista, CA, after an approximately one (1) hour visit in MX. The CBPO recognized MENDEZ and his Explorer from a tip ("informal lookout") that he had received regarding narcotics' smuggling. The CBPO referred MENDEZ to the secondary lot for further inspection.

During inspection of MENDEZ' Explorer, the secondary CBPO found three (3) packages concealed within the driver's side rear quarter-panel. The packages contained an aggregate total of approximately 2.14 kilograms (approximately 4.71 pounds) of an opaque crystalline-like substance that field-tested positive for methamphetamine.

MENDEZ, a United States citizen, waived his Constitutional rights per "Miranda" (in English) and admitted that he was knowingly smuggling narcotics across the US/MX Border. MENDOZA had been directed to deliver the narcotics to Phoenix, AZ, where he would receive $600-$800 USD compensation.

MENDEZ was arrested and booked into the Metropolitan Correctional Center, San Diego, CA. All evidence, including Mendez' Explorer and the methamphetamine were seized by CBP, to be booked in the CBP Otay Mesa evidence vault.

3/27/08